



September 24, 2010

Ms. Marlene H. Dortch
Federal Communications Commission
The Portals, TW-A325
445 12th Street SW
Washington, DC 20554

**Re: Notice of *Ex Parte* Presentation
Schools and Libraries Universal Support Mechanism – CC Docket No. 02-6;
A National Broadband Plan for Our Future -- GN Docket No. 09-51.**

Dear Ms. Dortch:

Pursuant to the FCC's rules, this filing is to provide notice of several phone call discussions between the FCC staff, Alan Fishel of Arent, Fox (on behalf of the Internet2 K12 Initiative) and myself (on behalf of the Schools, Health and Libraries Broadband Coalition) in the days preceding the FCC decision on the E-rate Reform Order referenced above. Each of these calls was initiated or requested by FCC staff:

On Monday, September 20, Zac Katz of the FCC Chairman's office called me to discuss the treatment of dark fiber. We discussed the issue of whether construction costs for building dark fiber should be supported by the E-rate program. He asked us to follow-up with Gina Spade.

Later that day, Alan Fishel and I spoke with Gina Spade about the treatment of leasing of dark fiber with IRUs and the construction of dark fiber.

On Tuesday, September 21, I received a call from Regina Brown on the FCC's staff to ask about the inclusion of dark fiber construction costs.

Later on Tuesday, September 21, I received a call from Zac Katz concerning the issue of construction costs of dark fiber.



On Wednesday, September 22, 2010, Alan Fishel and I spoke with Gina Spade concerning the demarcation between installation costs of dark fiber and construction costs. We also discussed whether dark fiber electronics could be supported by the E-rate program.

Sincerely,

John Windhausen, Jr.

Coordinator

Schools, Health and Libraries Broadband (SHLB) Coalition

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cc: Regina Brown
Gina Spade
Zac Katz